

REMARKS

The office action of November 9, 2009 has been carefully considered.

It is noted that claims 9-11 are objected to for containing informalities.

A substitute specification is required.

Claims 9-11 are rejected under 35 U.S.C. 112, second paragraph.

In connection with the specification, applicant has attached a Substitute Specification along with a marked-up copy showing the changes made. It is noted that the new substitute specification is based on the substitute specification filed June 7, 2004. No new matter has been added.

In view of the Examiner's objection to and rejection of the claims, applicant has amended claims 9-11.

Applicant has amended the preamble of the claims as required

HM-390

by the Examiner. Thus, it is respectfully submitted that the objection to claims 9-11 is overcome and should be withdrawn.

It is submitted that the claims now on file particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended the claims to address the points raised by the Examiner. Thus, it is respectfully submitted that the rejection of claims 9-11 under 35 U.S.C. 112, second paragraph is overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

By



Klaus P. Stoffel  
Reg. No. 31,668

For: Friedrich Kueffner

Reg. No. 29,482  
317 Madison Avenue, Suite 910  
New York, New York 10017  
(212) 986-3114

Dated: February 5, 2010